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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,967	10/19/2001	Hiromu Ueshima	100341-00017	7298

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EXAMINER	
MOSSER, ROBERT E	
ART UNIT	PAPER NUMBER
3714	

DATE MAILED: 05/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/981,967	UESHIMA ET AL.	
	Examiner	Art Unit	
	Robert Mosser	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-9 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) 1-9 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 19 October 2001 is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

In response to paper No 6. dated 2-25-04.

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 6, and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Strothmann (US 5,815,144).

4. Regarding claim 1, 6, and 7 Strothmann teaches an Icon-based reset for cartridge memory computer system (12) including: A memory cartridge (14) storing a second start program is attached or detached from the main body incorporating a main body memory storing a first start program (33) and memory mapping means for mapping the first and second start program in accordance with the connection (or attachment) of the cartridge (Col 8:30-45 & Col 6:28-35).

The first start program may be understood to be the bootstrap (a term held as being well known in the art) ROM (Col 3:54-60) located in the memory locations from F20000H to FFFFFFH, a first program located on a first cartridge plugged into a first cartridge connector 28 (Col 3:8-11), or the System Management Menu program (Col 11:23-12:61) as shown in figure 2.

While the second start program may be understood to be a first program located on a first cartridge plugged into a first cartridge connector 28 (Col 3:8-11), a CD drive with it's associated memory (Col 8:43-47) or a second program located on a second cartridge plugged into a second cartridge connector 28 (Col 3:8-11),

By way of example the first memory mapping may be represented in the mapping present when no cartridge is inserted where only the A/V controller processor are mapped with the upper and lower 4 megabytes sections of the memory and the remaining two 4 megabyte sections are left to float (Col 6:24-35). Upon the insertion of a first cartridge into the first cartridge connector one of the previous floating 4-megabyte sections becomes associated with the memory of the cartridge and hence mapped. This provides two memory mappings wherein the first mapping is understood to include portion A and the second mapping includes portions A & B. Where portion A is not the same as portions A & B in combination the memory is considered mapped in two separate and distinct manners.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. Claims 1-4, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Strothmann (US 5,815,144) in view of Nishumi et al (US 6,141,730).

8. Regarding at least claim 1, and in addition to the above stated, Strothmann is silent regarding the newly added limitation of "said second start program is executed without menu selection from a user". However in a related patent Nishumi et al (US 6,141,730) teaches the automatic use of external memory devices without user interaction (Figure 9). It would have been obvious to one of ordinary skill in the art at the time of invention to have utilized the auto selection system of Nishumi in the system of Strothmann in order to allow the automatic selection of a memory device in the case

where only one of the two was present or alternatively to automatically load the program of the cartridge when it is inserted into the system of Strothmann

9. Regarding claims 2, 3 and in addition to the above stated, Strothmann/Nishumi teaches the use of chip selects as well as cartridge selects (Strothmann Col 6:50-54) or "enable signals" as so claimed and the use of dual cartridge connectors but is silent on the order in which cartridges are enabled or selected with respect to the body memory. Strothmann however does teach the selection and operation of the cartridges that would necessitate the selection or enabling of the cartridge. It would have been obvious to one of ordinary skill in the art at the time of invention to have selected/enabled the memory of the cartridge if it was attached and not to have selected/enabled the memory of the cartridge if it was not attached in order to allow the use of the cartridge when attached and indicate to the processor that an additional addressable memory range was now available.

10. Regarding claims 4, 8 and in addition to the above stated, Strothmann teaches the presence output means for at least two cartridge and chip selects as the system taught by the inclusion of the at least two cartridge connectors (Strothmann Col 6:24-35) and the cartridge connection means is described as pluggably connected via gold plated edge connectors for transmitting the select signals mentioned above: (Strothmann Col 6:44-49). Strothmann however, is silent on the rerouting of signals dependent on the connection state of the cartridge. As the described process is typically accomplished through reassigning existing signals instead of any physical

switching operation and provides no distinct function or utility the described method of switching signals is deemed to be a matter of design choice.

11. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Strothmann (US 5,815,144) in view of Nishumi et al (US 6,141,730) in yet further view of Kikuchi et al (US 5,664,778).

In addition to the above disclosed the invention Strothmann/Nishumi is silent on the use of content dependent on identifiers. Kikuchi et al teaches the use of content dependent on identifiers in a network compatible game machine (Col 6:15-20).

It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the identifiers of Kikuchi et al in the invention of Strothmann in order to allow for cartridges that are suited to various types of hardware configurations.

12. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Strothmann (US 5,815,144) in view of Kikuchi et al (US 5,664,778).

In addition to the above disclosed the invention Strothmann is silent on the use of content dependent on identifiers. Kikuchi et al teaches the use of content dependent on identifiers in a network compatible game machine (Col 6:15-20 & 4: 56-5:10) for the purpose of connecting the proper content with the proper network.

It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the identifiers of Kikuchi et al in the invention of Strothmann in order to allow for cartridges that are suited to various types of hardware configurations.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Strothmann (US 5,815,144).

In addition to the above disclosed the invention Strothmann is silent on the use of content dependent on identifiers. It would have been obvious for one of ordinary skill in the art at the time of invention to have utilized identifiers either present physically or electronically on the cartridge, the body, or both the cartridge and the body of the device in order ensure that only that software present on the cartridges, which was intended to be operated on the bodies, was permitted to do so.

Response to Arguments

13. Applicant's arguments filed 2-25-04 have been fully considered but they are not persuasive.

14. The applicant argues that the Strothmann reference is deficient in the claimed mapping methodology present in at least claims 1, 6-8. The examiner believes that each of these arguments has been addressed in the above rejection(s) of the claims, which have been amended for purposes of clarifying this issue.

15. The applicant argues that newly added "a start program is executed without menu selection by the user" which has been addressed in the rejection of at least claim 1 above and as such will not be addressed any further herein.

16. The applicant argues the novelty of a body identifier. Wherein this instant identifier of the body is used to determine which of the first programs on a memory cartridge may be used/enabled on said body. The currently applied art solves the

problem of matching content embodied on cartridges to the appropriate terminals (interpreted as body equivalents in field of invention) and while the field of inventions are arguable distinct between the present art the problem addressed is the same and as such applicable to the case at hand.

Conclusion

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert Mosser whose telephone number is (703)-305-4253. The examiner can normally be reached on 8:30-4:30 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Hughes can be reached on (703) 308-1806. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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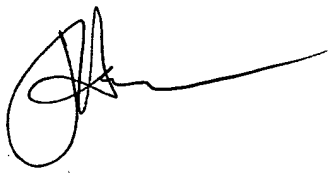

JESSICA HARRISON
PRIMARY EXAMINER